

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING PRIORITIES FOR DEVELOPMENT OF
5 CONGRESSIONAL DISTRICTS; AMENDING SECTION 5-1-115, MCA; AND PROVIDING AN IMMEDIATE
6 EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 5-1-115, MCA, is amended to read:

11 **"5-1-115. Redistricting criteria.** (1) Subject to federal law, legislative and congressional districts
12 must be established on the basis of population.

13 (2) In the development of legislative districts, a plan is subject to the Voting Rights Act and must
14 comply with the following criteria, in order of importance:

15 (a) The districts must be as equal as practicable, meaning to the greatest extent possible, within a
16 plus or minus 1% relative deviation from the ideal population of a district as calculated from information
17 provided by the federal decennial census. The relative deviation may be exceeded only when necessary to
18 keep political subdivisions intact or to comply with the Voting Rights Act.

19 (b) District boundaries must coincide with the boundaries of political subdivisions of the state to the
20 greatest extent possible. The number of counties and cities divided among more than one district must be as
21 small as possible. When there is a choice between dividing local political subdivisions, the more populous
22 subdivisions must be divided before the less populous, unless the boundary is drawn along a county line that
23 passes through a city.

24 (c) The districts must be contiguous, meaning that the district must be in one piece. Areas that meet
25 only at points of adjoining corners or areas separated by geographical boundaries or artificial barriers that
26 prevent transportation within a district may not be considered contiguous.

27 (d) The districts must be compact, meaning that the compactness of a district is greatest when the
28 length of the district and the width of a district are equal. A district may not have an average length greater than

1 three times the average width unless necessary to comply with the Voting Rights Act.

2 (3) A district may not be drawn for the purposes of favoring a political party or an incumbent legislator
3 or member of congress. The following data or information may not be considered in the development of a plan:

4 (a) addresses of incumbent legislators or members of congress;

5 (b) political affiliations of registered voters;

6 (c) partisan political voter lists; or

7 (d) previous election results, unless required as a remedy by a court.

8 (4) In the development of congressional districts and under the authority granted to the legislature by
9 Article I, section 4, of the United States constitution, a congressional districting plan is subject to the Voting
10 Rights Act and must comply with the following criteria, in order of importance:

11 (a) The districts must be as equal as practicable.

12 (b) District boundaries must coincide with the boundaries of political subdivisions of the state to the
13 greatest extent possible. The number of counties and cities divided among more than one district must be as
14 small as possible. When there is a choice between dividing local political subdivisions, the more populous
15 subdivisions must be divided before the less populous, unless the boundary is drawn along a county line that
16 passes through a city.

17 (c) The districts must be contiguous, meaning that the district must be in one piece. Areas that only
18 meet at points of adjoining corners or areas separated by geographical boundaries or artificial barriers that
19 prevent transportation within a district may not be considered contiguous.

20 (d) The districts must be compact, meaning that the compactness of a district is greatest when the
21 length of the district and the width of a district are equal. A district may not have an average length greater than
22 three times the average width unless necessary to comply with the Voting Rights Act."

23

24 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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